



## **Investigate and prosecute military contractors who torture**

The United States government is outsourcing key security and military support functions to private companies, particularly in Iraq and Afghanistan. Government reports have implicated these private contractors in serious human rights violations—including participation by contractors in the torture at Abu Ghraib—yet only one civilian contractor has faced charges.

### **Background**

The publication of photos depicting Iraqi detainees being physically and mentally abused at Abu Ghraib prison caused shock and outrage across the world. Following publication of these horrific images, serious allegations of involvement in the abuse by private military companies contracted by the U.S. government emerged. Yet years later, Bush administration officials have made virtually no effort to hold contractors accountable or to compensate victims.

The U.S. government has outsourced billions of dollars in contracts to private companies, leaving to civilians some of the most essential and sensitive functions in the war, including providing security for U.S. government personnel and reconstruction projects, operating and maintaining weapons systems, translating during interrogations and conducting interrogations. Despite weak reporting requirements placed on private security firms, allegations have surfaced implicating civilians working for the U.S. government in mistreatment of Iraqi and Afghan civilians.

In 2004, the Army's Fay / Jones and Taguba reports investigating abuse at Abu Ghraib implicated contractors from two companies, Titan Corp. and CACI, in torture and ill treatment. Further, of the 20 known cases of alleged misconduct by civilians in the "war on terror" that were forwarded by the Pentagon and CIA to the U.S. Department of Justice (DOJ) for investigation, the DOJ has prosecuted one case, dismissed two, and left open the remaining 17.

Then, late last year, at a Congressional hearing of the Committee on Oversight and Government Reform, the general counsel of Blackwater admitted that one of its employees had shot and killed an Iraqi security officer on December 24, 2006. However, the US Attorney's office of the Western District of Washington refuses even to confirm if an investigation is underway and if charges will be filed.

Most recently, the media has reported that former KBR contractor, Jamie Leigh Jones, was allegedly gang-raped in 2005 by KBR colleagues. While the Department of Defense refuses to probe the charges, citing the case's status as "open" with the DOJ, even repeated inquiries by US Congressmen have been met with Justice Department silence.

Currently contractors operate in a virtual rules-free zone; they are exempt from Iraqi law per a Coalition Provisional Authority order and they fall outside the military chain of command.

**Recommended Action:**

Tell the Department of Justice to immediately investigate and prosecute all cases of human rights violations committed by employees or contractors of private military companies.

Take action online by visiting <http://www.amnestyusa.org/page.php?id=4>

Or write a letter or e-mail to the Department of Justice:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
AskDOJ@usdoj.gov

We have provided a sample letter, but please be encouraged to add your own thoughts:

Dear Attorney General Mukasey:

I am writing because I am frustrated and outraged that serious allegations of rape, torture and indiscriminate killing by government contractors in the "War on Terror" and Iraqi reconstruction continue to surface, but yet seem to be largely ignored by the Department of Justice (DOJ). Years have passed without prosecution of widely reported human rights abuses by military and security contractors and without any degree of meaningful transparency as to the status of cases. This record makes a mockery of past DOJ promises that human rights abuses would not be tolerated.

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The United States has an obligation to prosecute contractors working on its behalf for international human rights violations. The Department of Justice is charged with that responsibility.

If investigations result in an inability to prosecute, it is up to the Justice Department to clearly disclose those results to Congress and the public. Lawmakers need to know of any obstacles to prosecution of human rights violators to be able to effectively propose solutions. The Justice Department should at least provide the U.S. with that opportunity -- to develop capacity to bring justice and accountability to U.S. military and security contracting, an industry now seemingly dominated by abuse and impunity.

To keep cases "open" indefinitely and to use this status as a reason to prohibit any further explanation is to deny justice to human rights victims and to allow U.S. operations overseas to flout responsibility.

I hope that this is not the result desired by your office. I look to you to take immediate action to ensure those responsible for heinous abuses are finally brought to justice.

Sincerely,